

Docket No.: 293102003000
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Suresh K. TIKOO et al.

Application No.: 09/871,212

Art Unit: 1648

Filed: May 31, 2001

Examiner: U. Winkler

For: MODIFIED BOVINE ADENOVIRUS HAVING
ALTERED TROPISM

DECLARATION OF DR. SURESH K. TIKOO PURSUANT TO 37 C.F.R. § 1.132

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Suresh K. Tikoo, PhD., declare as follows:

1. I am an inventor named in the above-identified patent application.
2. I am currently Head, Vectored Vaccine Program of Vaccine and Infectious Disease Organization at the University of Saskatchewan.
3. I have reviewed the Reddy et al. reference (*Journal of Virology* (1999) vol. 73: 9137-9144), and on which I am the corresponding author.
4. P. Seshidhar Reddy, Neeraja Idamakanti, Yan Chen, Tyler Whale, Lorne Babiuk, and Majid Mehtali are listed as co-authors on the Reddy et al. reference.


5. Lorne Babiuk is a co-inventor named in the above-referenced patent application.

6. P. Seshidhar Reddy was a post-doctoral fellow in the Vaccine Program of Vaccine and Infectious Disease Organization who worked under my direction and supervision. Neeraja Idamakanti and Yan Chen, were laboratory technicians who worked under my direction and supervision. Tyler Whale was a student who worked in my laboratory under my direction and supervision. P. Seshidhar Reddy, Neeraja Idamakanti and Yan Chen constructed the bovine adenovirus vectors and cells described in Reddy et al., while Tyler Whale provided general laboratory support. They made no inventive contribution to the subject matter of the present application and performed their work relating to Reddy et al. only under my direction and supervision.

7. Majid Mehtali was an author on Reddy et al. pursuant to a contractual obligation. Majid Mehtali did not make any independent contributions to the subject matter of the present application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dec 5, 2003
Date



Suresh K. Tikoo, Ph.D.